

ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS SUBJECT TO A PENALTY NOT EXCEEDING \$500 FOR EACH VIOLATION, WHICH PENALTY THE ATTORNEY GENERAL MAY RECOVER FOR THE STATE IN A CIVIL ACTION.

REVISOR'S NOTE: This subsection presently appears as the first sentence of Art. 27, §195A(c).

The balance of that section is now contained in §11-706.

Reference to "firm, corporation ... or employee" is deleted as unnecessary, in light of the broad definition of "person" contained in §11-701.

The only other changes are in style.

(B) NOTICE AND OPPORTUNITY TO DEFEND.

BEFORE THE ATTORNEY GENERAL COMMENCES ANY ACTION UNDER THIS SECTION, HE SHALL GIVE TO THE PERSON AGAINST WHOM THE ACTION IS PROPOSED:

(1) NOTICE BY REGISTERED OR CERTIFIED MAIL OF THE PROPOSED ACTION; AND

(2) AN OPPORTUNITY TO SHOW CAUSE ORALLY OR IN WRITING WHY THE ACTION SHOULD NOT BE COMMENCED.

REVISOR'S NOTE: This subsection presently appears as the first sentence of Art. 27, §195A(d).

The second sentence of that subsection, which permits the presentation of evidence of compliance with other statutes and regulations, is deleted as unnecessary in light of §11-706. Since, under §11-706, such evidence is a defense to an action brought under this subtitle, the required opportunity to show cause why the action should not be commenced would necessarily permit presentation of that defense during the show cause proceedings.

In item (1) of this subsection, reference to "registered" mail is added for the purpose of clarity and emphasis. This is in accord with Art. 1, §20 of the Code, which generally permits the use of either registered or certified mail as alternates to each other.

The only other changes are in style.